

## UNITED STATES DISTRICT COURT

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

for the

District of New Mexico

United States of America )

v. )

Daniel ARCHULETA )

Defendant(s)

Case No. 19 MJ 1077

APR 25 2019

MITCHELL R. ELFERS  
CLERK**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 4/24/2019 in the county of Bernalillo in the  
District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. 841(a)(1) and (b)(1)(A)

Distribution of 500 Grams and More of a  
Mixture and Substance Containing a  
Detectable Amount of Methamphetamine

18 U.S.C. 922(g)(3)

Prohibited Person in Possession of a  
Firearm

This criminal complaint is based on these facts:

Please See Attached Affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 4/25/2019City and state: Albuquerque, NM*Complainant's signature*Larry Pantoja, Special Agent, DEA*Printed name and title**Judge's signature*U.S. Magistrate Judge Karen B. Molzen*Printed name and title*

**AFFIDAVIT**

I, Larry Pantoja, Special Agent of the Drug Enforcement Administration (DEA), being duly sworn, depose and state:

I am a Special Agent (SA) of the Drug Enforcement Administration and have been so employed since October 2015. I am currently assigned to the DEA Albuquerque District Office, specifically assigned to investigate federal drug offenses. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code Section 2510(7), who is empowered to conduct investigations of, and make arrests for, offenses in Title 18 and Title 21 of the United States Code. My experience as a Special Agent includes, but is not limited to, conducting surveillance, interviewing witnesses, debriefing defendants, writing affidavits for and executing search warrants, and working with undercover agents and informants. I have received training in and have experience in the investigation of violations of the federal drug and money laundering laws, including the offenses listed below. As a result, I am familiar with matters including, but not limited to, the means and methods used by persons and drug trafficking organizations ("DTOs") to purchase, transport, store, and distribute drugs and to hide profits generated from those transactions.

The facts set forth in this affidavit are known to me as a result of my investigation and interviews with other agents and law enforcement officers. These are not all the facts known to me throughout the course of this investigation, but rather only those that are essential to establish probable cause for charging a complaint against **Daniel ARCHULETA** for the federal violations listed herein.

This Affidavit is made in support of the issuance of a Criminal Complaint charging **Daniel ARCHULETA** with a violation of Title 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), that being Possession with Intent to Distribute a Mixture of Substance Containing 500 Grams and More of a Detectable Amount of Methamphetamine and a violation of Title 18 U.S.C. §§ 922(g)(3), that is Prohibited Person in Possession of a Firearm.

**PROBABLE CAUSE**

In early April 2019, law enforcements agents/officers with the Albuquerque District Office (ADO) negotiated and conducted a 20 ounce methamphetamine purchase with **ARCHULETA** utilizing an Undercover (UC). The drug transaction between **ARCHULETA** and the UC occurred in a public place in Albuquerque, NM. In exchange for \$3,500 in United States currency, the UC received two packages of suspected methamphetamine from **ARCHULETA**, the combined weight of the packages was 606.1 gross grams. The substances contained in both packages were field tested and returned positive responses for the presence of methamphetamine.

On April 24, 2019, New Mexico State Police marked units initiated a traffic stop on a 2003 Cadillac Escalade, bearing New Mexico plate 31513UNM, in the area of 4<sup>th</sup> Street NW and Interstate 40 of Albuquerque, New Mexico. This vehicle is registered to "Daniel ARCHULETA." **ARCHULETA** was immediately taken into custody without incident. Within **ARCHULETA**'s vehicle, agents found a digital scale, as well as torn piece of aluminum foil consistent with personal

use of heroin. On April 24, 2019, **ARCHULETA** admitted to being a user of both heroin and methamphetamine.

At approximately 3:30 p.m. that same day, law enforcement agents/officers executed a Federal search warrant at **ARCHULETA**'s residence located at 518 Phoenix Avenue NW, Albuquerque, New Mexico. Agents determined the residence is **ARCHULETA**'s primarily through surveillance. Agents located the following items in **ARCHULETA**'s bedroom: one .22 caliber rifle with two loaded magazines nearby; one .223 caliber pistol with a loaded magazine nearby; one 1911 variant pistol with a round loaded in the chamber; one .25 caliber pistol with a round loaded in the chamber. Among other items, agents also located scales that can be used to weigh illegal drugs.

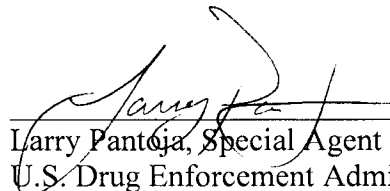
On April 24, 2019, agents also searched a storage unit (#G9) that **ARCHULETA** rented at CubeSmart Self Storage located at 7440 Central Avenue SE, Albuquerque, New Mexico. At approximately 5:15 p.m., agents arrived at CubeSmart storage, unit #G9, and seized a late model shotgun with shotgun ammunition. The shotgun was not loaded.

Based on my training and experience, the .22 caliber rifle, the .223 caliber pistol, the 1911 variant pistol, and .25 caliber pistol appear to be in operable condition. All of the firearms are commercially available. I know that no commercial firearms such as these are manufactured in the State of New Mexico. Therefore, all the firearms must have traveled in and affected interstate commerce to reach New Mexico.

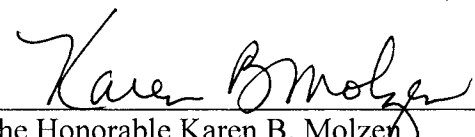
Based on the aforementioned information, there is probable cause to believe that **Daniel ARCHULETA**, in April 2019, committed a violation of Title 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), that being Distribution of 500 Grams and More of a Mixture and Substance Containing a Detectable Amount of Methamphetamine; and a violation of Title 18 U.S.C. § 922(g)(3), that being Prohibited Person in Possession of a Firearm.

All of these events occurred in Bernalillo County, in the District of New Mexico.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

  
Larry Pantoja, Special Agent  
U.S. Drug Enforcement Administration

Sworn before me on this the 25th day of April, 2019

  
The Honorable Karen B. Molzen  
United States Magistrate Judge